

FILED
CLERK, U.S. DISTRICT COURT
SEP - 3 2013
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, } Case No.: 13-2125M
12 Plaintiff, }
13 vs. } ORDER OF DETENTION
14
15 *Joshua Davis* } Defendant.
16

I

18 A. (✓) On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly
19 involving:

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B. On motion by the Government/() on Court's own motion [18 U.S.C. § 3142(f)(2)], in a case allegedly involving:

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1. a serious risk that the defendant will flee.

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2. () a serious risk that the defendant will:

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a. () obstruct or attempt to obstruct justice.

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b. () threaten, injure or intimidate a prospective witness or juror, or attempt to do so.

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C. The Government is/ is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community.

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II.

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A. ✓ The Court finds that no condition or combination of conditions will reasonably assure:

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1. the appearance of the defendant as required.

17

and/or

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? the safety of any person or the community

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B. The Court finds that the defendant has not rebutted by sufficient evidence to the contrary the presumption provided by statute.

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III

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The Court has considered:

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the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;

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B the weight of evidence against the defendant:

- 1 C. the history and characteristics of the defendant; and
- 2 D. the nature and seriousness of the danger to any person or the community.

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4 IV.

5 The Court also has considered all the evidence adduced at the hearing and the
6 arguments and/or statements of counsel, and the Pretrial Services Report /
7 recommendation.

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9 V.

10 The Court bases the foregoing finding(s) on the following:

- 11 A. () As to flight risk:
12 () Lack of bail resources
13 () Prior failures to appear / violations of probation/parole
14 (✓) No stable residence or employment
15 () Ties to foreign countries / financial ability to flee

16 Recent move TO NEVADA Post STATE CHARGE

- 17
18 B. (✓) As to danger:

- 19 () Nature of prior criminal convictions
20 (✓) Allegations in present indictment unwarranted
21 (✓) Drug / alcohol use
22 () In custody for state offense

23 EVIDENCE OF GUN ACCS)

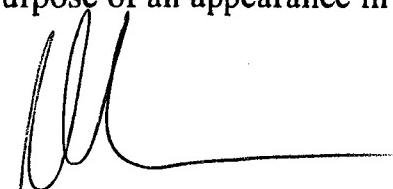
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VI.

- 2 A. () The Court finds that a serious risk exists the defendant will:
3 1. () obstruct or attempt to obstruct justice.
4 2. () attempt to/ () threaten, injure or intimidate a witness or juror.
5 B. The Court bases the foregoing finding(s) on the following:
6 _____
7 _____
8 _____
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10 VII.

- 11 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
12 B. IT IS FURTHER ORDERED that the defendant be committed to the custody of
13 the Attorney General for confinement in a corrections facility separate, to the
14 extent practicable, from persons awaiting or serving sentences or being held in
15 custody pending appeal.
16 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable
17 opportunity for private consultation with counsel.
18 D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on
19 request of any attorney for the Government, the person in charge of the
20 corrections facility in which defendant is confined deliver the defendant to a
21 United States marshal for the purpose of an appearance in connection with a
22 court proceeding.

23
24 DATED: 9/3/13



25 MICHAEL R. WILNER
26 UNITED STATES MAGISTRATE JUDGE
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